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DATE: February 3, 2004
TO: U.S. Patent Office
ATTENTION: Examiner M. CHORBAJI
571
FACSIMILE NO.: (517) 273-1281
FROM: Thomas E. Kocovsky, Jr.
RE: 09/314,497; Filed 05/19/1999 (MEDZ 2 01012)

Total number of pages (including this cover sheet): 5

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Comments:

5 pp - 1 pp Fax cover sheet
4 pp Terminal Disclaimer

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: M. CHORBAJI
B. SCHINDLY, et al.)	
)	Art Unit: 1744
Serial No.: 09/314,497)	
)	Conf. No: 5279
Filed: May 19, 1999)	
)	
For: FLOW THROUGH CHEMICAL)	
INDICATOR FOR)	
MEASUREMENT)	
OF ACTIVE BIOCIDAL)	
AGENTS)	
)	
Date of Last Office Action:)	
September 8, 2003)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
MEDZ 2 01012)	February 3, 2004

TERMINAL DISCLAIMER

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On January 30, 2004, Examiner Chorbaji initiated a telephone interview with the undersigned. Examiner Chorbaji advised that the above-referenced patent application would be allowed upon the filing of a Terminal Disclaimer which terminally disclaims the portion of any patent issuing on this application beyond the expiration of US Patent No. 5,997,814 of Minerovic, et al. This Terminal Disclaimer is being filed in accordance with that request.

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Identification Of Person(s) Making This Disclaimer

Name of disclaimant: Thomas E. Kocovsky, Jr. of
FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114

represent that I am:

☐ an inventor of this invention
☐ an assignee of this invention
☒ a representative authorized to sign on behalf
of the assignee identified below.

**Identity of Assignee and
Title of Disclaimant (if applicable)**

Name of Assignee: STERIS INC.
Address of Assignee: 43425 Business Park Drive
Temecula, CA 92590
Title of disclaimant: Registered Attorney for Assignee
authorized to sign on behalf of
Assignee

Recordal of Assignment in PTO

☒ the assignment was recorded on May 19, 1999 at
Reel 009979 Frame 0741.
☐ authorization for recordal of the assignment is
separately attached

Extent of Interest

The extent of the interest of STERIS INC. is in

☒ the whole of the invention
☐ a sectional interest in this invention as follows
(here state the exact interest of the
disclaimant(s):

I state that the relevant evidentiary documents have been
reviewed, and certify that to the best of my knowledge and
belief, title is in the assignee taking this action.

Disclaimer

- 3 -

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of

 X United States Patent No. 5,997,814 to
Minerovic, et al.

 Any patent granted on application numbers
and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

 X United States Patent No. 5,997,814 to
Minerovic, et al.

 Any patent granted on application numbers,
this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any one of:

 X United States Patent No. 5,997,814 to
Minerovic, et al.

 Any patent granted on application numbers
in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

Fee Status

(37 CFR 1.20(d) and 37 CFR 1.321)

 X other than a small entity - fee \$110.00

 small entity - fee \$55.00

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FEE PAYMENT

____ Attached is a check in the amount of \$____

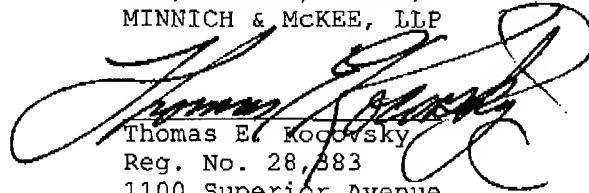
X Charge Deposit Account No. 06-0308 for any fee deficiency required by this paper.

X Charge Deposit Account No. 06-0308 in the sum of \$ 110.00. A duplicate copy of this disclaimer is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP



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CERTIFICATE OF FAXING

I hereby certify that this **TERMINAL DISCLAIMER** in connection with U.S. Patent Application Serial No. 09/314,497 is being is being transmitted by telefacsimile to Examiner Chorbaji, at Telefacsimile No. (571) 273-1271 on this 3rd day of February, 2004.

By: Hilary M. McShulky